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PETITION FOR REVIVAL ON AN APPLICATION FOR PATENT ABANDONED **UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)

4481-045

First named Inventor:

David Finlay TAYLOR

Application No.

10/084,498

Art Unit:

2611

Filed:

February 28, 2002

Examiner:

Freshteh N. AGHDAM

Title:

NETWORK MEASUREMENT METHOD AND APPARATUS

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

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The above-identified application became abandoned for fallure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The due date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus extension of time actually obtained,

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or Issue fee
- (3) Terminal disclaimer with disclaimer fee required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the delay entire delay was unintentional.
- 1. Petition fee
 - ☐ Small entity-fee \$.750.00 (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27,
 - Other than small entity fee \$ 1.500.00 (37 CFR 1.17(m))
- 2. Reply and/or fee
 - A. The reply and/or fee to the above-noted Office action in
 - The form of _____ (identify type of reply.) □ has been filed previously on _____
 - is enclosed herewith.
 - B. The issue fee of \$1,700.
 - has been filed previously on June 15, 2006.
 - is enclosed herewith.

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 1.0 hour to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Petent and Trademark Office, Washington, DC 20231, DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistance Commissioner for Patents, Washington, DC 20231

PAGE 6/7 * RCVD AT 10/17/2006 2:32:56 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-3/18 * DNIS:2738300 * CSID:7035185499 * DURATION (mm-ss):04-46

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PTO/SE/64 (10-01),
Approved for use through 10/31/2802. OMB 0631-8031United States Patent and Trademark Office; U.S. DEPARTMENT OF COMMISSION Under the Paperwork Reduction Act of 1995, no persons are required to a collection of information unless it displays a valid OMB control number. Terminal disclaimer with disclaimer fee ☐ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required. for a small entity or \$ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$_ other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63). STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)))]. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit information and authorization on PTO-2038. October 17, 2008 Date Signature Allan M. Lowe, Reg. No. 19,841 Typed or printed name Telephone Number (703) 684-1111 LOWE HAUPTMAN & BERNER, LLP CUSTOMER NO. 22429 1700 Diagonal Road Suite 300, Alexandria, Virginia 22314 Address Enclosures: Fee Payment (If to be charged, fees are to be charged to Deposit Account No. 07-1337) Reply Terminal Disclaimer Additional sheets containing statements establishing unintentional delay Other: CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)] I hereby certify that this correspondence is being: deposited with the United States Postal Service on the date shown below with sufficient postage as first class mall in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 308-6916 October 17, 2008 Date Signature Melissa P. Satorre Type or printed name of person singing certificate

[Page 2 of 2]

PART B - FEE(S) TRANSMITTAL Comprises and sund this form, together With applicable fee(s), to: Mail Mail Stop ISSUE FEE Commissioner for Patents P.O. Box 1430 Alternative Virginia 22313-1450 OF EAST (571)-273-2883 DESTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 3 should be compared and modifications of maintenance from will be mailed to the furnat convergence of maintenance from will be mailed to the furnat convergence of maintenance from will be mailed to the furnat convergence of maintenance advirus; and/or (b) indicating a terror convergence of maintenance advirus; and/or (b) indicating a terror convergence of maintenance advirus; and/or (b) indicating a terror convergence of maintenance advirus; and/or (b) indicating a terror convergence of the advironment of the advironme	00/12/2006 140	1/149 PMA (V35)	03477			- SASTINETYO		
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